

Application No.: 09/827,362Docket No.: 30014165-2 US (1509-164)**REMARKS**

The title has been amended so it is consistent with the claimed subject matter, as required by the Office Action.

The specification has been amended to correct errors of syntax and to correct reference numerals, as well as for clarity.

Claims 1-27 have been canceled, with the right being retained to file divisional applications on the subject matter of claims 1 and 9-27. Claims 2-8 have been replaced by claims 28-57. Claims 28-57 define subject matter discussed in the specification in connection with Figures 2, 6, 18A, 18B and 19. The terminology employed in the specification and on the flow diagrams of Figures 18A, 18B and 19 is employed in claims 28-57, where applicable. The newly submitted claims are believed in compliance with 35 USC §112, second paragraph, and to distinguish over the art of record.

Independent method claim 28 is directed to a method of adding a new user account from a client computer onto a network including the client computer and a group of headless computers. The method comprises the steps of responding to the client computer signaling that a new user account is to be added by identifying the headless computers in the group that are valid targets capable of holding the new account. A test is performed to check that the identified headless computers are suitable to handle the new account. In response to the test indicating one of the identified headless computers is suitable for holding the new account, the new account is assigned to that one headless computer for processing of the new account.

New independent claim 45 is directed to a network comprising a client computer and a group of headless computers. The client computer and the group of headless

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computers are arranged so that, in response to a new user account being added to the client computer, the steps defined by claim 28 are essentially performed.

In the previous Office Action, claims 2-8 were rejected as being anticipated under 35 USC §102(e) by Loeb et al. (U.S. Patent 6,332,124) in view of Davis et al. (U.S. Patent 6,367,009). Firstly, Applicants cannot understand how claims 2-8 can be rejected as being anticipated by one reference in view of another reference. A proper rejection based on anticipation requires all claimed features to be disclosed or inherently included in a single reference. Obviously, the rejection based on anticipation is incorrect.

In any event, neither Loeb et al. nor Davis et al. discloses the foregoing steps of claim 28 or the network of claim 45. Further, the two references in combination do not make the subject matter of independent claims 28 and 45 obvious.

Loeb et al. is concerned with a method and system for organizing magazine subscription information. Subscription information is collected from one of more fulfillment houses and is made available to a consumer of a particular household so the consumer can make changes to all subscription information associated with the household. The consumer can associate a credit card or other account with the household subscription information. The account is charged as payment for the household subscriptions. While there is interaction with servers, it is not seen where the identifying and test performing steps and operations of claims 28 and 45 are performed in the Loeb et al. system. In addition, Loeb et al. fails to include the step of assigning the new account to the one headless computer in response to a test indicating one of the identified headless computers is suitable for holding the new account.

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The Davis et al. reference is relied on in the Office Action for the test performing step of former claim 2. Davis et al. is concerned with extending an SSL, i.e., Secure Sockets Layer network protocol to a multi-tier environment using delegation of or authentication and authority. It is not understood why one of ordinary skill in the art would employ the Davis et al. system for delegating authority and authentication from a client computer to a server so the server can establish a secure connection to a back-end application on behalf of a client in the magazine subscription system of Loeb et al. The Examiner, in making the rejection, has cast around to find what he believes are pieces of Applicants' claimed method and has combined them on the basis of hindsight. Further, Applicants are unable to understand how the portions of Davis et al. relied on by the Examiner can be considered as performing a test to check that identified headless computers are suitable to handle a new account.

Based on the foregoing, the combination of Loeb et al. and Davis et al. to reject independent claims 28 and 45 is improper. Consequently, the dependent claims are patentable because the additional applied references fail to cure the deficiencies of the combination of Loeb et al. and Davis et al. In addition, many of the dependent claims recite features not disclosed or made obvious by the art of record, in the defined combination.

Claim 29 requires the identifying and the test performing steps to be performed only if all the headless computers of the group are capable of receiving the signal that a new account is to be added. Claim 30 requires the identifying and test performing steps to be performed only if the new account is found to not be in any of the headless computers of the group.

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Claim 31 requires the client computer to have an address and the headless computers that are the valid targets to have addresses. The test includes comparing the address of the client computer with the addresses of the headless computers. Claim 32 depends on claim 31 and indicates that, in response to the client computer address and the addresses of the headless computers that are the valid targets being the same, a set of headless computers consisting of the headless computers having the same address as the address of the client computer is formed. One of the headless computers from the set is selected to be the headless computer to which the new account is assigned for processing. Claim 34 depends on claim 32 and requires the selection of the computer to be a random selection of a headless computer of the set. Claim 35 indicates that if the client computer address differs from the addresses of all the headless computers that are the valid targets, a set of headless computers consisting of all the headless computers that are valid targets is formed. One of the headless computers from the set is selected to be the headless computer to which the new account is assigned for processing.

Claim 38 depends on claim 28 and requires the identifying step to include the plural steps for each particular headless computer of the group. The steps are (a) determining whether the particular headless computer has full data storage; (b) determining whether the particular headless computer has reached a limit at which new users cannot be taken onto the particular headless computer. The particular headless computer is not identified as a valid target in response to either of determining steps (a) or (b) having an affirmative result. Claim 41 is similar to claim 38 but the identification is defined in a positive way so that the particular headless computer is identified as a valid

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target in response to both of the determining steps (a) and (b) having a negative result.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance are respectfully requested and deemed in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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